#1

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, January 30, 2018 12:22:21 PM
Last Modified:	Tuesday, January 30, 2018 12:26:39 PM
Time Spent:	00:04:17
IP Address:	47.208.12.120

Page 1

Q1 First Name (Optional)

Rob

Q2 Last Name (Optional)

Golightly

Q3 Organization (Optional)

Humboldt norml

Q4 Title (Optional)

Communications director

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

I like to get feedback from all the subcommittees and Humboldt norml plans on attending in person. Thanks for your time and have a good day!

#2

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, January 30, 2018 2:08:44 PM
Last Modified:	Tuesday, January 30, 2018 2:11:55 PM
Time Spent:	00:03:11
IP Address:	159.83.136.3

Page 1

Q1 First Name (Optional)

Robert

Q2 Last Name (Optional)

Vaughn

Q3 Organization (Optional)

RLCCA/RLC

Q4 Title (Optional)

Southwest Regional Director

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

My concern is that testing costs are going to go up when at one time people could get a complete report for 35-50 dollars what if any are the projected cost increases?

#3

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Wednesday, January 31, 2018 8:27:59 AM
Last Modified:	Wednesday, January 31, 2018 8:30:16 AM
Time Spent:	00:02:17
IP Address:	4.35.158.19

Page 1

Q1 First Name (Optional)

Paul

Q2 Last Name (Optional)

Leavitt

Q3 Organization (Optional)

Retired Veteran

Q4 Title (Optional)

Mr.

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

My limited research of the requirements for establishing a Testing Facility leads me to the conclusion that an investment of more than $1.5 million is barely going to open the doors. Why is that ?

#4

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Wednesday, January 31, 2018 9:36:41 PM
Last Modified:	Friday, February 02, 2018 9:16:16 AM
Time Spent:	Over a day
IP Address:	158.96.4.13

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

there
's a lot of confusion about the requirements for tinctures. the OMCS says they are allowed but testing labs say they are not. many tincutres are alcohol based sowhen they are tested, ethanol is higher than the allowance. Can you please calcify that ethanol can be in tinctures?

#5

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Saturday, February 03, 2018 8:49:27 AM
Last Modified:	Saturday, February 03, 2018 8:59:06 AM
Time Spent:	00:09:39
IP Address:	173.228.104.9

Page 1

Q1 First Name (Optional)

Vicki

Q2 Last Name (Optional)

Gruhn

Q3 Organization (Optional)

Integrated Analytical Solutions, Inc.

Q4 Title (Optional)

Director, Analytical

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

In the pesticide section for Category I testing:

"A sample shall be deemed to have passed the residual pesticides testing if both of the following conditions are met:

1. The presence of any residual pesticide listed in the following tables in Category I are not detected"

There needs to be an actual sensitivity limit here. Instruments vary significantly in their ability to detect compounds - allowing labs to set their own reportable limits will lead to huge inconsistencies from lab to lab and instrument to instrument.

#6

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 1:18:39 PM
Last Modified:	Monday, February 05, 2018 1:21:25 PM
Time Spent:	00:02:45
IP Address:	76.14.183.22

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Excelsior Analytical Laboratory

Q4 Title (Optional)

Chief Compliance Officer

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Hello, may we respectfully ask for an opportunity to present a PowerPoint presentation, highlighting some of the key issues we've gotten no response on from BCC? We are a testing lab, and we have a keen understanding of these topics, which need to be clarified by the time Permanent Regulations are issued. What will be the format of this subcommittee meeting, and when can we look forward to an opportunity to speak, present, and be heard?

#7

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 2:54:18 PM
Last Modified:	Monday, February 05, 2018 3:21:41 PM
Time Spent:	00:27:23
IP Address:	76.14.183.22

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Please put the following topics on the next meeting's agenda for discussion:

1. Category I and II Pesticides
2. Appropriate Use of Field Duplicate Samples

#8

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 3:04:31 PM
Last Modified:	Monday, February 05, 2018 3:23:20 PM
Time Spent:	00:18:48
IP Address:	24.199.56.190

Page 1

Q1 First Name (Optional)

Swetha

Q2 Last Name (Optional)

Kaul

Q3 Organization (Optional)

Cannalysis Labs

Q4 Title (Optional)

Chief Scientific Officer

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

1. Testing should not be restricted to only final product from licensed facilities. Most manufacturers require in-process testing to ensure that the final products meet specifications. It will also encourage manufacturers to make safer products since they can test for pesticides through the extraction and distillation process. This step is crucial for edible manufacturers so that they can calculate the cannabinoid content required for the final product.
2. Consumers should be allowed to test product they grow for personal use as well as verify that product they have purchased is safe for consumption. Since there are products that are labeled as not tested available in the market, the consumer has right to this information.
3. Both of these issues may be tackled in METRC if there is a not for sale/resale designation. This would allow labs to report the data but also allow important information for the safe consumption of products.
4. Labs should be allowed to determine how much of a retention sample they are allowed to hold for the 45-day period. It is a security and logistical problem for labs to retain all the sample if multiple 50lb batches are tested. Each batch results in two 80g samples, most of which will not be utilized in testing. If labs can prove adequate sample homogenization of the representative sample at the site of sampling, they should be allowed to retain what is required and leave the remainder at the distribution facility. The emergency regulation is not very clear about this point.
5. Total yeast and mold count (TYMC) should be added to the microbial section. By stating the specific aspergillus species, the regulations essentially require a DNA based approach such as qPCR for the detection of mold. However, if a sample undergoes remediation, it may fail due to the presence of the DNA even though no viable cells are present. In addition, there are several species of non-aspergillus mold that can be potentially harmful.
6. Since labs are already required to test for mycotoxins, which are the harmful chemicals produced by mold, it should be sufficient to test for TYMC, a standard plate method from the FDA and EPA). This is a broader test that is more cost efficient that qPCR. Requiring the use of a DNA based approach is overkill and will increase the cost of testing without improving safety standards.
7. The foreign and filth testing should be performed at the distribution site. This is a highly subjective test and there are no specific analytes involved. As such it should be out of the purview of an analytical testing lab. It is impossible to get ISO certification on this test as there is no proficiency testing available for it. The investigation of filth would be more practical when large batches can be viewed.

#9

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 11:40:00 AM
Last Modified:	Monday, February 05, 2018 7:25:54 PM
Time Spent:	07:45:54
IP Address:	68.101.162.78

Page 1

Q1 First Name (Optional)

Andrew

Q2 Last Name (Optional)

Hopkins

Q3 Organization (Optional)

The Werc Shop

Q4 Title (Optional)

Pesticide levels for Class 1

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

§ 5719. Residual Pesticides Testing
(b) The laboratory shall report the result of the residual pesticides testing in unit micrograms per gram (µg/g) on the COA and indicate "pass" or "fail" on the COA.

Our clients require specific detection limits or action levels to be set for these compounds or labs will purchase insensitive equipment to purposefully make the pesticide residues difficult to detect.

#10

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 8:17:23 PM
Last Modified:	Monday, February 05, 2018 8:20:34 PM
Time Spent:	00:03:11
IP Address:	68.101.162.78

Page 1

Q1 First Name (Optional)

Andrew

Q2 Last Name (Optional)

Hopkins

Q3 Organization (Optional)

The Werc Shop

Q4 Title (Optional)

Remove field duplicate requirement

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

We have enough product to test multiple times using only the Primary sample. This will cut the volume of holding samples to a more manageable level, and still provide for keeping a retained sample in the event of any questions about the sample outcome.

#11

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 7:27:29 PM
Last Modified:	Monday, February 05, 2018 8:27:30 PM
Time Spent:	01:00:00
IP Address:	68.101.162.78

Page 1

Q1 First Name (Optional)

Andrew

Q2 Last Name (Optional)

Hopkins

Q3 Organization (Optional)

The Werc Shop

Q4 Title (Optional)

Retain sample storage for 15 days

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

We suggest 15 days storage. Not 45.

§ 5728. Post Testing Sample Retention
(a) The laboratory shall retain the reserve sample, consisting of any portion of a sample that was not used in the testing process. The reserve sample shall be kept, at minimum, for 15 business days after the analyses, after which time it may be destroyed and denatured to the point the material is rendered unrecognizable.

#12

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 8:29:13 PM
Last Modified:	Monday, February 05, 2018 8:31:31 PM
Time Spent:	00:02:17
IP Address:	68.101.162.78

Page 1

Q1 First Name (Optional)

Andrew

Q2 Last Name (Optional)

Hopkins

Q3 Organization (Optional)

The Werc Shop

Q4 Title (Optional)

Please clarify how many tests need to be run per sample.

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Please clarify how many tests need to be run per sample.

Article 3. Sampling Cannabis and Cannabis Products

§ 5705. General Sampling Requirements

#13

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, February 05, 2018 8:33:21 PM
Last Modified:	Monday, February 05, 2018 8:34:11 PM
Time Spent:	00:00:49
IP Address:	68.101.162.78

Page 1

Q1 First Name (Optional)

Andrew

Q2 Last Name (Optional)

Hopkins

Q3 Organization (Optional)

The Werc Shop

Q4 Title (Optional)

Article 8. Employee Qualifications

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Can a lab employee work for another cannabis company?

#14

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 7:50:09 AM
Last Modified:	Tuesday, February 06, 2018 7:51:12 AM
Time Spent:	00:01:03
IP Address:	12.231.150.35

Page 1

Q1 First Name (Optional)

Marc

Q2 Last Name (Optional)

Whitlow

Q3 Organization (Optional)

Colabrativ, Inc.

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 2. Distributors
§ 5314. Shipping Manifest

In section 5311 (a) states:
(a) Prior to transporting cannabis goods, a distributor shall generate a shipping manifest through the track and trace system for the following activities:
(1) Testing and sampling;
(2) Sale of cannabis goods to a licensee;
(3) Destruction or disposal of cannabis goods; and
(4) Any other activity, as required pursuant to this division, or by any other licensing authority.

This seems to be in conflict with the Testing Laboratory's responsibility to collect samples of cannabis goods at the distributor, and transport them to the testing laboratory. Why should the distributor create a shipping manifest for something they do not control? Furthermore, it is highly likely that the manifest will have multiple stops that the Testing Laboratory's sampler is making to various distributors.

I recommend removing 5314.a.1 from this section and moving it to an appropriate section in Chapter 6 Testing Laboratories, Article 3 Sampling Cannabis and Cannabis Products to be part of the 5709 Chain of Custody or a new section below section 5709.

This request is also been sent to the Distributors subcommittee.

#15

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 7:53:51 AM
Last Modified:	Tuesday, February 06, 2018 7:55:22 AM
Time Spent:	00:01:31
IP Address:	12.231.150.35

Page 1

Q1 First Name (Optional)

Marc

Q2 Last Name (Optional)

Whitlow

Q3 Organization (Optional)

Colabrativ, Inc.

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 3. Sampling Cannabis and Cannabis Products

§ 5707. Harvest Batch Sampling
Section 5707 (a) states:
(a) The sampler shall obtain both a primary sample and a field duplicate sample from each prepacked or unpacked harvest batch. The primary sample and field duplicate sample must each weigh 0.35% of the total harvest batch weight. The sampler shall collect the field duplicate sample contemporaneous to, and in the same manner as, collection of the primary sample.

I would recommend that “a minimum of” be added to before “0.35%”, to be consistent with section 5707 (b). The change section 5707 (a) would then read:

The sampler shall obtain both a primary sample and a field duplicate sample from each prepacked or unpacked harvest batch. The primary sample and field duplicate sample must each weigh a minimum of 0.35% of the total harvest batch weight. The sampler shall collect the field duplicate sample contemporaneous to, and in the same manner as, collection of the primary sample.

#16

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 7:59:56 AM
Last Modified:	Tuesday, February 06, 2018 8:01:48 AM
Time Spent:	00:01:51
IP Address:	12.231.150.35

Page 1

Q1 First Name (Optional)

Marc

Q2 Last Name (Optional)

Whitlow

Q3 Organization (Optional)

Colabrativ, Inc.

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 5. Laboratory Testing and Reporting
§ 5716. Homogeneity Testing of Edible Cannabis Products

§ 5716. Homogeneity Testing of Edible Cannabis Products reads:
(a) The laboratory shall analyze a sample of edible cannabis product that contains more than one serving per unit to determine whether the edible cannabis product is of homogeneous THC content.

Cannabinoid Testing only examines THC. Homogeneity testing should cover the principal cannabinoid components of a cannabis product. I would recommend changing section 5716 (a) to read:

(a) The laboratory shall analyze a sample of edible cannabis product that contains more than one serving per unit to determine whether the edible cannabis product has homogeneous cannabinoid profile.

Section 5716 (c) to read:
(c) A sample of edible cannabis product shall be deemed to have passed homogeneity testing if the relative standard deviation of THC concentration between the samples collected does not exceed plus or minus 10%.

I would recommend changing section 5716 (c) to read:

(c) A sample of edible cannabis product shall be deemed to have passed homogeneity testing if the relative standard deviation in the concentration of all principal cannabinoids between the samples collected does not exceed plus or minus 10%, where the principal cannabinoid is any cannabinoid that makes up more than 20% of the total cannabinoid concentration.

#17

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 8:07:54 AM
Last Modified:	Tuesday, February 06, 2018 8:09:03 AM
Time Spent:	00:01:08
IP Address:	12.231.150.35

Page 1

Q1 First Name (Optional)

Marc

Q2 Last Name (Optional)

Whitlow

Q3 Organization (Optional)

Colabrativ, Inc.

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 8. Employee Qualifications
§ 5738. Analyst and Sampler Qualifications

The emergency regulations do not define the roles of an analyst in a testing laboratory. I would recommend adding a definition of an analyst to section 5700 Definitions.

#18

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 11:11:40 AM
Last Modified:	Tuesday, February 06, 2018 11:14:07 AM
Time Spent:	00:02:26
IP Address:	157.131.133.78

Page 1

Q1 First Name (Optional)

Joanna

Q2 Last Name (Optional)

Cedar

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

with all other agricultural products, testing is done on the raw material, i.e. we test the spinach itself, not the canned spinach. With cannabis, there is double testing which is unnecessary and expensive. If the raw material tests clean, then all products derived from it should as well.

#19

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 11:15:49 AM
Last Modified:	Tuesday, February 06, 2018 11:21:27 AM
Time Spent:	00:05:37
IP Address:	50.250.197.190

Page 1

Q1 First Name (Optional)

Brian

Q2 Last Name (Optional)

Kahn

Q3 Organization (Optional)

Cannabis Operator

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

The regulations need to be updated to properly address who is able to properly manage all the cananbis waste that will be created. More specifically, the regulations need to ensure that if a cannabis operator is going to utilize a third party cannabis waste management company, the cannabis waste management company must obtain the proper cannabis licenses to transport and render the cannabis waste. Any random person or existing trash company CANNOT handle cannabis waste. This cannabis waste management company MUST have the appropriate cannabis licenses such as a cannabis distribution license and cannabis manufacturing license (processing license). Since the product that will be picked up is untreated cannabis product (un-rendered cannabis product), the movement of the cannabis requires a distribution license. The distribution license will allow the canabis waste management company to pick up the untreated cannabis since it is still considered cannabis product, and the manufacturing (processing) license will allow the waste management company to render the cannabis product into neutrialized cannabis waste. These licenses not only make the cannabis waste management company compliant, but also help with the track and tracing of all stages of the cannabis product through Metrc since all cannabis license holders need to use the track and trace system. The proposed changes will guarantee that all cannabis waste is being handled by cannabis-permitted companies that have extensive working knowledge in the industry. These changes will ensure that all cannabis waste streams are properly identified and documented through the State's Track and Trace System, and ensure all cannabis operators are working compliantly together.

#20

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 2:25:46 PM
Last Modified:	Tuesday, February 06, 2018 2:27:44 PM
Time Spent:	00:01:57
IP Address:	73.93.155.175

Page 1

Q1 First Name (Optional)

Megumi

Q2 Last Name (Optional)

Reagan

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

To Whom It May Concern:

I’m writing you to express concern over cannabis waste regulations. Cannabis waste comes in innumerable forms. I’ve found that the layman generally associates cannabis waste with leaves, stalks, stems, and other plant and soil byproducts. However, it’s important to note that cannabis waste also includes post-extracted cannabis plants and flowers, failed lab tested materials, ancillary manufactured waste (for example, i.e., wax paper, gloves, beakers, etc.), retail display items, and returned/damaged retail items. These streams of waste come from all industry stakeholders: cultivators, manufacturers, retailers, distributors and testing labs. Handling the volume of waste produced by these stakeholders creates an ancillary industry that must be regulated.

The regulations need to be updated to reflect who is qualified to properly manage cannabis waste. The vast amounts of cannabis waste produced by the industry pose a serious risk to public health, specifically children and the disenfranchised, if not handled by properly licensed cannabis waste haulers as opposed to general waste management service providers. Third party cannabis waste management companies must obtain the proper licenses to transport and render cannabis waste. Frequently, cannabis byproduct and waste are indistinguishable from safe-to-consume materials and/or products. To mitigate these risks, limiting the exposure of the public to cannabis waste vis-a-vis safe and sustainable disposal of cannabis waste that has been tracked and traced and handled by licensed cannabis waste haulers is imperative. It will ensure that all ecosystems—the environment, the public and industry stakeholders can successfully co-exist.

Thank you.

#21

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 2:42:46 PM
Last Modified:	Tuesday, February 06, 2018 2:44:43 PM
Time Spent:	00:01:57
IP Address:	172.113.65.79

Page 1

Q1 First Name (Optional)

Rick

Q2 Last Name (Optional)

T

Q3 Organization (Optional)

Independent

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Publish more info on access to and governmental methods of testing.

#22

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 2:48:10 PM
Last Modified:	Tuesday, February 06, 2018 2:50:16 PM
Time Spent:	00:02:05
IP Address:	71.177.42.75

Page 1

Q1 First Name (Optional)

Shawnna

Q2 Last Name (Optional)

Robinson

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

I would like to see further testing requirements for different cannabinoids. Specifically THCv, which is used for women's issues and PTSD.

#23

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 5:46:08 PM
Last Modified:	Tuesday, February 06, 2018 6:12:56 PM
Time Spent:	00:26:48
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 5. Laboratory Testing and Reporting
§ 5724. Cannabinoid Testing

Original Text:(a) The laboratory shall analyze a sample of cannabis or cannabis product to determine whether the cannabinoid profile of the sample conforms to the labeled content of each cannabinoid such as THC; THCA; CBD; CBDA; CBG; and CBN.

Critique: the term “such as” leaves the requires list of cannabinoids undefined. The language is ambiguous about whether laboratories are required to test for all or some of these cannabinoids. It may also be prudent to explicitly allow for the testing and reporting of cannabinoids not listed, because new standards for rarer cannabinoids are becoming available from certified standard manufacturers. Also the use of label content is not appropriate for cannabis flower, for which the content is being discovered by the cultivators upon receipt of a Certificate of Analysis form the laboratory. In manufactuered products, the label content is part of the standard operating procedure, but with organic material such as cannabis flower, there is reproducible value that can be tied to a cultivation procedure within the limits described here.

Suggestion:(a) The laboratory shall analyze a sample of cannabis for each cannabinoid, including but not limited to, THC; THCA; CBD; CBDA; CBG; and CBN. The laboratory shall analyze a sample of cannabis product to determine whether the cannabinoid profile of the sample conforms to the labeled content of for each cannabinoid, including but not limited to, THC; THCA; CBD; CBDA; CBG; and CBN.

Original Text:(c) If the labeled content of any one cannabinoid is expressed as a total concentration of the cannabinoid, the laboratory shall calculate the total cannabinoid concentration as follows: Total cannabinoid concentration (mg/g) = (cannabinoid acid form concentration (mg/g) x 0.877) + cannabinoid concentration (mg/g)

Critique: The value of 0.877 only applies to THC and CBD decarboxylation. The value of this fraction is derived from the ratio of the mass of a cannabinoid molecule to its parent cannabinoid acid molecule. This is done so that the final mass of active compounds that are released during smoking or heating are accurately labeled and not mislabeled as the higher mass parent compound. This should only apply to products that are heated by the consumer, such as cannabis flower or vaporized products. An edible should not be labeled with a decarboxylation value because decarboxylation will no longer occur and the label will not reflect the compounds delivered to the patient or user's blood stream. It is for this reason that labeling of calculated total values for cannabis products, especially oral and topical products, is not appropriate or accurate.

Suggestion:(c) Samples of cannabis may be labeled with an additional label value reflecting the total concentration of a cannabinoid derived from the concentration of its free cannabinoid form and the concentration of its cannabinoid acid form. A laboratory may only label a cannabis sample with calculated total cannabinoid concentration if the laboratory has tested for both the free cannabinoid form and its corresponding cannabinoid acid from. The formula used for calculating total cannabinoid values shall be the following: Total cannabinoid concentration (mg/g) = (cannabinoid acid form concentration (mg/g) x N) + free cannabinoid concentration (mg/g) where N will have the following value for each total cannabinoid being calculated: THC, N=0.877; CBD, N=0.877; CBG, N=0.878; CBC, N=0.872; THCV, N=0.867; CBDV, N=0.867; CBGV, N=0.868; CBCV, N=0.867. If the laboratory is testing for cannabinoids not listed herein, the laboratory may calculate its own N value for the cannabinoid by using the following formula: N = free cannabinoid form molecular mass (g/mol) / acid cannabinoid form molecular mass (g/mol). The value of N calculated by laboratories must be used to 3 significant figures. Samples of cannabis product may not be labeled with an additional label value reflecting the total concentration of a cannabinoid derived from the concentration of its free cannabinoid form and the concentration of its cannabinoid acid form.

Sources:
Troiani, Marco "How Does Decarboxylation Effect Cannabinoids?" Cannabis Culture Magazine. August 6th, 2017. http://www.cannabisculture.com/content/2017/08/06/decarboxylation-effect-cannabinoids
Russo, Ethan B. "Taming THC: potential cannabis synergy and phytocannabinoid-terpenoid entourage effects." British journal of pharmacology 163.7 (2011): 1344-1364.
Ruhaak, Lucia Renee, et al. "Evaluation of the cyclooxygenase inhibiting effects of six major cannabinoids isolated from Cannabis sativa." Biological and Pharmaceutical Bulletin 34.5 (2011): 774-778.
Izzo, Angelo A., et al. "Non-psychotropic plant cannabinoids: new therapeutic opportunities from an ancient herb." Trends in pharmacological sciences 30.10 (2009): 515-527.
Moldzio, Rudolf, et al. "Effects of cannabinoids Δ (9)-tetrahydrocannabinol, Δ (9)-tetrahydrocannabinolic acid and cannabidiol in MPP+ affected murine mesencephalic cultures." Phytomedicine 19.8 (2012): 819-824.
Takeda, Shuso, et al. "Cannabidiolic acid, a major cannabinoid in fiber-type cannabis, is an inhibitor of MDA-MB-231 breast cancer cell migration." Toxicology letters 214.3 (2012): 314-319.

Original Text:(d) A sample shall be deemed to have passed the cannabinoid testing if the concentration of any one cannabinoid does not exceed the labeled content of the cannabinoid, plus or minus 10%.

Critique: The issue of cannabis testing versus cannabis product testing was covered in section (a) but I will review in brief: cannabis cultivation procedures do not allow cultivators to know with precision what their final cannabinoid levels will be. It for this reason that the pass/fail system relative to label claim should apply only to cannabis products who have Standard Operating Procedure that is precise

enough to predict its cannabinoid concentration within 10% accuracy.

Suggestion: (d) A sample of cannabis product shall be deemed to have passed the cannabinoid testing if the concentration of any one cannabinoid does not exceed the labeled content of the cannabinoid, plus or minus 10%. A sample of cannabis shall be deemed to have passed the cannabinoid testing once the testing is complete.

Original Text:(e) If the sample fails cannabinoid testing, the batch from which the sample was collected fails cannabinoid testing and shall not be released for retail sale.

Critique: The issue of cannabis testing versus cannabis product testing was covered in section (a) but I will review in brief: cannabis cultivation procedures do not allow cultivators to know with precision what their final cannabinoid levels will be. It for this reason that the pass/fail system relative to label claim should apply only to cannabis products who have Standard Operating Procedure that is precise enough to predict its cannabinoid concentration within 10% accuracy.

Suggestion: (e) If the sample of a cannabis product fails cannabinoid testing, the batch from which the sample was collected from fails cannabinoid testing and shall not be released for retail sale. A sample of cannabis cannot fail for cannabinoid testing, and neither can the batch from which the sample was collected from.

#24

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:15:04 PM
Last Modified:	Tuesday, February 06, 2018 6:17:56 PM
Time Spent:	00:02:51
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 5. Laboratory Testing and Reporting
§ 5725. Terpenoid Testing

Original Text:(a) The laboratory shall analyze a sample of cannabis or cannabis product to determine whether the terpenoid profile of the sample conforms to the labeled content of terpenoids.

(b) The laboratory shall report the result of the terpenoid testing on the COA both as a percentage and in milligrams per gram (mg/g) and indicate “pass” or “fail” on the COA.

(c) A sample shall be deemed to have passed the terpenoid testing if the concentration of terpenoids does not exceed the labeled content of total terpenoids, plus or minus 10 percent.

(d) If a sample fails terpenoid testing, the batch from which the sample was collected fails terpenoid testing and shall not be released for retail sale.

Critique: The use of label content is not appropriate for cannabis flower, for which the content is being discovered by the cultivators upon receipt of a Certificate of Analysis form the laboratory. In manufactured products, the label content is part of the standard operating procedure, but with organic material such as cannabis flower, there is no reproducible value that can be tied to a cultivation procedure within the limits described here.

Suggestion:(a) The laboratory shall analyze a sample of cannabis to determine the terpenoid profile of the sample. The laboratory shall analyze a sample of cannabis product to determine whether the terpenoid profile of the sample conforms to the labeled content of terpenoids.

(b) The laboratory shall report the result of the terpenoid testing on the COA for cannabis samples both as a percentage and in milligrams per gram (mg/g). The laboratory shall report the result of the terpenoid testing on the COA for cannabis product samples both as a percentage and in milligrams per gram (mg/g) and indicate “pass” or “fail” on the COA.

(c) A cannabis sample shall be deemed to have passed the terpenoids testing when the testing is completed. A cannabis product sample shall be deemed to have passed the terpenoid testing if the concentration of terpenoids does not exceed the labeled content of total terpenoids, plus or minus 10 percent.

(d) If a cannabis product sample fails terpenoid testing, the batch from which the sample was collected fails terpenoid testing and shall not be released for retail sale. A cannabis sample cannot fail for terpenoid testing, and the batch from which the sample was collected cannot fail terpenoid testing either.

#25

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:18:06 PM
Last Modified:	Tuesday, February 06, 2018 6:21:52 PM
Time Spent:	00:03:45
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Savino

Q2 Last Name (Optional)

Sguera

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CSO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 7. Laboratory Quality Assurance and Quality Control
§ 5731. Limits of Detection (LOD) and Limits of Quantitation (LOQ) for Quantitative Analyses
5731 Limits of Detection (LOD) and Limits of Quantitation (LOQ) for Quantitative Analyses
should read:

(2)Standard deviation of the response and the slope using a minimum of 7 blank samples calculated as follows: LOQ = (10 × standard deviation of the response) / slope of the calibration curve; or
(3)Standard deviation of the response and the slope using a minimum of 7 low concentration samples, calculated as follows: LOQ = (10 × standard deviation of the response) / slope of the calibration curve; or
(4)A method published or recommended by the USFDA or the USEPA.

Comment:
The method stated for finding LOQ in (2) is designed for trace analysis, i.e. contaminant testing (pesticides, mycotoxins), and does not work on background-subtracted analyses.
- For potency, the instrumentation is not looking at ion abundance but rather light absorption, and the baseline absorption is not always relevant (most software will ignore it). A more apt method would then be to use repeated, low level matrix spikes perform 10xSTDev, as written in the FDA Paper: Guidance for Industry: Q2B Validation of Analytical Procedures: Methodology, 7.3.2.
- For metals, the FDA Elemental Analysis Method for Food and Related Products, 3.2.2, specifically states that "A common mistake is to base ASQL solely on signal-to-noise ratio (S/N) whereby ASQL is setequal to ten times the standard deviation of the blanks (i.e., ASQL=10s). This calculation accounts for only signal measurement and does not capture uncertainty for the entire analysis. Most notably, it does not account for blank subtraction and a host of other components. While S/N may account for the majority of uncertainty for some methods, this is not usually the case." Therefore, this LOQ method is not recommended for metals or potency.
- Also from same text: "UPAC11, Eurachem2, and NIST3 are good sources of information when discussing LOD and LOQ terminology, calculations, and conventions."
- Many FDA and EPA documents are “Non-binding recommendations” and not their own methods.

REFERENCES
1.Currie, L. A. (1999) Nomenclature in Evaluation of Analytical Methods Including Detection and Quantification Capabilities (IUPAC Recommendations 1995), Anal. Chim. Acta, 391, 105-126. 2.Eurachem/CITAC guide (2012) Quantifying uncertainty in analytical measurement, 3rd Edition, Ed. Ellison, S.L.R. and Williams, A., ISBN 978-0-948926. [accessed June, 2014] Available internet.
3.Taylor, B. N. and Kuyatt, C. E. (1994) National Institute of Standards and Technology Technical Note 1297, Guidelines for Evaluating and Expressing the Uncertainty of NIST Measurement Results, U.S. Government Printing Office, Washington, DC 20402.
4.Horwitz, W. (1990) Nomenclature for Sampling in Analytical Chemistry (Recommendations 1990), Pure Appl. Chem.62, 1193-1208.

#26

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:22:13 PM
Last Modified:	Tuesday, February 06, 2018 6:25:41 PM
Time Spent:	00:03:28
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Savino

Q2 Last Name (Optional)

Sguera

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CSO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 7. Laboratory Quality Assurance and Quality Control
§ 5734. Satisfactory and Unsatisfactory Proficiency Test Performance

(a) The laboratory shall be deemed to have successfully participated in a PT for an analyte tested in a specific method if the test results demonstrate a “satisfactory” or otherwise proficient performance determination by the PT provider. At minimum, the results must satisfy the following:
(1) Be within +/- 30% of actual value for cannabinoid potency, terpene potency, and heavy metals or
(2) Be within +/-20% of actual value for pesticides, mycotoxins and residual solvents.
(b) The laboratory may not report test results for analytes that are deemed by the PT provider as “unacceptable,” “questionable,” “unsatisfactory”, or otherwise deficient.
(c) The laboratory may resume reporting test results for analytes that were deemed “unacceptable,”“questionable,” “unsatisfactory”, or otherwise deficient, only if both of the following conditions are met:
(1)The laboratory satisfactorily remedies the cause of the failure for each analyte; and
(2)Achieves a “satisfactory” or otherwise proficient performance determination upon retest by a PT provider
(3)Submits, to the Bureau, a written report demonstrating how the laboratory has fixed the cause of the failure. Authority: Section 26013, Business and Professions Code. Reference: Sections 26100 and 26110, Business and Professions Code

Comments:
In addition to corrective action, a laboratory should prove satisfactory performance on a PT round if there is a failure, before performing that test for clients
What are the consequences for failure? Is there a grace period to fix an analytical issue? At what point does the lab lose licensure or accreditation for that particular test?

#27

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:30:12 PM
Last Modified:	Tuesday, February 06, 2018 6:33:37 PM
Time Spent:	00:03:25
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 3. Sampling Cannabis and Cannabis Products
§ 5708. Cannabis Product Batch Sampling
Section 5708 (a) states:
(a) The sampler shall collect both a primary sample and a field duplicate sample from each cannabis product batch. The sampler shall collect the field duplicate sample contemporaneous to, and in the same manner as, collection of the primary sample.

Cannabis Product Batch Size
(pounds)
Number of Increments
(per sample)
≤ 50
2
51 – 150
3
151 – 500
5
501 – 1,200
8
1,201 – 3,200
13
3,201 – 10,000
20
10,001 – 35,000
32
35,001 – 150,000
50

I would recommend that the minimum number of increments of the primary sample and a field duplicate sample be 5 and not 2, in order to a get sufficient number of increments to determine homogeneity of the cannabis product batch. This could be done by eliminating the first two rows of the table, and changing “151 – 500” to “≤ 500” in the third row. This is appropriate as a product batch size of 50 would be too small to derive very accurate data from. If not the first two rows, deleting the first row would a great improvement, as the increase from 2 to 3 increments represents an increase of 50% sample size, which is statistically significant in an analytical chemical context.

#28

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:33:51 PM
Last Modified:	Tuesday, February 06, 2018 6:37:00 PM
Time Spent:	00:03:09
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Testing Laboratories - Article 3. Sampling Cannabis and Cannabis Products
§ 5709. Chain of Custody (COC) Protocol
Section 5709 b.2 and b.6 state:
(6) Printed and signed name(s) of the sampler(s); and
(7) Printed and signed name(s) of the testing laboratory employee who received the sample.
I would made the following clarifications to these items:
(6) On Site at Client Facility:
(a) Printed and signed name(s) of the testing laboratory employee(s) that did the sampling at the sampling site; and
(b) the printed and signed name(s) of the employee of the laboratory's client releasing custody of the samples; and
(7) Printed and signed name(s) of the testing laboratory employee(s) that received the samples at the testing laboratory's facility.

#29

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:38:01 PM
Last Modified:	Tuesday, February 06, 2018 6:38:48 PM
Time Spent:	00:00:46
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 7. Enforcement
§ 5800. Right of Access
Section 5800 (a) (2) states: Test any vehicle or equipment possessed by, in control of, or used by a licensee and their agents and employees.
I would like to see a condition placed on the Bureau, and it's authorized representatives, that they not be allowed to test equipment that they are not trained on. I'm particularly concerned about manufacturing and laboratory equipment that can be damaged by an untrained operator. This is equivalent to asking that anyone testing a motor vehicle is qualified to do so by having a driver's license.

#30

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:39:00 PM
Last Modified:	Tuesday, February 06, 2018 6:54:59 PM
Time Spent:	00:15:59
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Manufactured Cannabis Safety
Subchapter 3. Requirements of Operation
Article 4. Production and Process Controls
We would recommend that stability testing be required for all manufactured cannabis products. The Food and Drug Administration defines Stability Testing states in Guidance for Industry Q1A(R2) Stability Testing of New Drug Substances and Products
“The purpose of stability testing is to provide evidence on how the quality of a drug substance or drug product varies with time under the influence of a variety of environmental factors, such as temperature, humidity, and light, and to establish a retest period for the drug substance or a shelf life for the drug product and recommended storage conditions.”
The patients and adult-use customer of manufactured cannabis products should have some assurance that the product they are taking is reasonably close to what is on the label, and that the effect these products have on them are consistent. Stability testing, storage condition and the use of expiration date are a key set of best practices that increase the likelihood the patient or customer will be receiving a consistent product.
We recommend that a section 40265. Stability Testing between 40264. Batch Production Record, and section 40268. Recalls be added. Below is our proposed text for that section.
(a) Stability testing must be performed on all cannabis products that will be sold to patients or customers through licensed cannabis retailer.
(b) Stability testing is required for each product, as defined by the product’s standard operating procedure. If the operating procedure is changed, then the stability test must be repeated for that product.
(c) The stability testing will determine that how long a cannabis product’s label components not exceed plus or minus 10% of the label concentrations or amounts at the manufacture recommended storage conditions for that product.
(d) The stability testing will be conducted by a license testing laboratory, as define in Title 16. Division 42. Bureau of Cannabis Control.
(e) The last time point in which the cannabis product meets the conditions in section 40265 (b) will be the maximum expiration period.
(f) The maximum stable period will be reported to the Bureau of Cannabis Control.
(g) The expiration date of a production batch of cannabis product is determined by the adding the manufactured date to the maximum stable period. A manufacture can use an expiration date prior to expiration date when labeling the cannabis product.

#31

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 6:58:14 PM
Last Modified:	Tuesday, February 06, 2018 6:59:12 PM
Time Spent:	00:00:58
IP Address:	69.181.184.67

Page 1

Q1 First Name (Optional)

Marco

Q2 Last Name (Optional)

Troiani

Q3 Organization (Optional)

Digamma Consulting

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Chapter 6. Manufactured Cannabis Safety
Subchapter 5. Labeling and Packaging Requirements
Article 2. Labeling Requirements
40408. Informational Panel Labeling Requirements.
Section 40408 (a) start with:
(a) The label for a cannabis product shall include an informational panel that includes the following:
Section 40408 (a) (10) states:
(10) The product expiration date, “use by” date, or “best by” date, if any; and
If stability testing is added to the regulations in section 40265, then expiration date must be determine using the maximum stable period determined in the stability testing of the cannabis product. Furthermore, we would recommend that only the expiration date be used on the label, and ‘“use by” and “best by” date’ be removed as labeling options in section 40408 (a) (10). The new section 40408 (a) (10) would read:
(10) The product expiration date, as determine by the product manufacture date, and the maximum stable period of the product determined by the stability testing in section 40265; and

#32

Collector: Web Link 1 (Web Link)
Started: Tuesday, February 06, 2018 8:26:44 PM
Last Modified: Tuesday, February 06, 2018 8:28:42 PM
Time Spent: 00:01:57
IP Address: 162.201.66.29

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Mendocino Generations

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

February 6th, 2018

Dear Subcommittee Members,

We write to you today, as a group of small farms located throughout Mendocino County, to express our concerns with the current cannabis emergency regulations and are providing input on changes we would like to see made in the new regulations. We are grateful for the opportunity as stakeholders and interested parties to engage in this process. We hope that our suggestions will be considered when drafting the new regulations so that the cannabis-licensing program can operate with efficiency and success.

The largest license type allowed in Mendocino County is 10,000 sq ft of plant canopy. This equates to less than a quarter acre and considered a "hobby garden" by agricultural standards.

State regulations must take the vast disparity in permitted size cultivations throughout the state into consideration as permanent regulations are formulated. Committees must understand the historical significance and economic dependence of counties in the north coast region on cannabis cultivation. Small cannabis farmers need state protection to continue into the regulated and legal era to allow for a viable transition and avoid epidemic bankruptcies, defaults, plummeting property tax revenues and destruction of a unique cultural fabric that can be the regions opportunity rather than its demise.

Various compliance issues imposed specifically on the cannabis industry, and no other agricultural industry in California, by CDFA, CWQCB, Cal Fire, CDFW, and a slew of local jurisdictions are simply not viable for small farmers if scale, rural access, cooperative efficiencies and considerations for sustainable methods are not protected by the BCC.
Even though some small farmers may diversify into processing and or low impact manufacturing as regulations allow, our primary concern at this writing is for the small farmer, terrified that their homes, livelihood and decades of investments in the development of methods and genetics will arbitrarily be taken from them by the BCC if the ACA does not act now on their behalf.

Small cannabis cultivators must be afforded the same considerations and protections as other small agricultural endeavors like small vineyards, artisan breweries and related boutique style retailing of their products. As stated in SB94 and its incorporation into Business and Professional Code 26013(c), upon which all cultivators in the state relied under MAUCRSA, "mandate only commercially feasible procedures, technology or other requirements, and shall not unreasonably restrain or inhibit the development of alternative procedures or technology to achieve the same substantive requirements, nor shall such regulations make compliance so onerous that the operation under a cannabis license is not worthy of being carried out in practice by a reasonably prudent business person".

REGARDING TESTING
The requirement that personnel from a lab must obtain a cannabis sample from a batch lot at a distribution facility should be altered, especially with regards to micro-businesses. When you consider micro-business licensees, how will labs have enough staff to drive all over rural counties to collect samples? This will slow down the chain of supply. Mendocino County's licensed cultivators are generally located in remote areas unfamiliar to non-locals and often behind more than one locked gate. Since unnecessary travel on dirt roads is discouraged by local regulations, it makes more environmental sense for cultivators of less than 10,000 sq ft and micro-business licensees to be allowed to transport their own farm products directly to labs via a Distributor-Transport Only license.

A representative volume, perhaps five pounds of product can be taken to the lab and random samples extracted from the pounds.

Cultivators of less than 10,000 sq ft cannot afford the estimated 25% markup fees from Distributors to come out to their farm and take samples. Please reconsider testing regulation so that small farmers are allowed self-transporting to and from testing labs.

Thank you for your consideration and support,

Audrey's Farm
Big Dirty Farms
Briza Botanicals
Brother Bee Farms
Coastal Ridge Botanicals
Emerald Naga Farms
Empire Gardens
Flatbed Ridge Farms
Fire Flower Farm
Full Sun Farms
Giving Tree Farms
Granny Jacks
Gypsy Wagon Farms
Herbanology Farms
Higher On The Hog Farms
Hummingbird Farms
Laughing Farms
Le Foret
Magnolia & Fig Cultivars
Mendocino Grasslands
Mendocino Organic Medicine

Moongazer Farms
Oak Knoll Farms
One Feather Ranch
Potter Valley Farms
Reach High Farm
River Txai Farms
Sensi Farms
Sun N Moon Ranch
Sunbright Gardens
Sweet Sisters Family Farm
UV Organics

#33

Collector: Web Link 1 (Web Link)
Started: Tuesday, February 06, 2018 8:42:06 PM
Last Modified: Tuesday, February 06, 2018 8:42:18 PM
Time Spent: 00:00:11
IP Address: 162.201.66.29

Page 1

Q1 First Name (Optional) — **Respondent skipped this question**

Q2 Last Name (Optional) — **Respondent skipped this question**

Q3 Organization (Optional) — **Respondent skipped this question**

Q4 Title (Optional) — **Respondent skipped this question**

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

State Regulation Amendment Requests:

1.Determine canopy of plants based on each plant and do not include pathways in canopy determination

2.Lower the cultivation tax and base it on a percentage rather than fixed dollar amounts

3.Order more track and trace tags since there seems to be only a limited number

4.Remove the 4-acre cap on Co-Ops

5.Reinstate the acreage cap on licenses

6.Remove the requirement that all activities of a micro business license occur on the same premises. Many cultivators in rural counties will not be able to comply due to zoning restrictions. Consider opening up packaging, processing and/or manufacturing to other zoning districts as there are any extremely limited amount currently available. Perhaps allow outside dense residential areas?

7.Remove Track and Trace requirements of weighing wet weight at harvest. This requirement does not make sense since the cannabis will change greatly in weight once it is fully dried. Weather (hot and dry vs rainy) will also greatly affect wet weight so there will be no benefit to a wet weight as it's completely arbitrary. Each plant and strain will vary in terms of how much moisture is lost in the curing

process. Therefore for cultivators selling dry product, require a dry weight amount to be entered and not wet weight of the entire plant.

8. Remove the 25 and 50 plant count for specialty cottage outdoor and specialty outdoor license types and instead use 2500 sq ft and 5,000sq ft. The corresponding permits under mixed light allow for sq ft canopy size, outdoors should match.

9.Monitor the testing prices being set by each lab. These costs are WAY too high for any small specialty cottage cultivator to be able to afford. Especially if cultivating 25plants, at $600-$1000 per batch test, cultivators will struggle greatly to afford these prices for testing.

The regulatory expansion related to testing is going to either push prices higher which will make it not accessible for lower income patients and consumers or force small farmers to cultivate the same strain in a batch to try and save the margin.

For small batch cultivators, if you produce 3 units in a batch these testing costs of $600-1000 per batch (or $200-333 per unit) plus the flat cultivation tax rate of $148 per unit is now nearly reducing the margin for the cultivator to a net negative.

10. Set eco-friendly standards for packaging to lessen the industry's impact on consumer waste in California.

11. Please remove the Camera regulations for small cultivators especially in rural counties such as Mendocino County. Small farms off grid with limited access to internet if any will have a serious hardship in complying with this standard. Perhaps a game camera could qualify for this regulation. This should also be considered for micro-business farms that are located in rural areas.

12. Allow people/companies with multiple permits to process all cannabis at one location. This will reduce having to setup and maintain multiple processing locations and equipment and lessen environmental impacts.

13. Remove the 25 plant count for specialty cottage license and instead use 2500 sq feet or at the very least allow the option of either 25 plants OR 2500 sq ft

14. Allow cultivators to process their own cannabis onsite under home-occupation as long as it meets the requirements of local county and city building codes etc.

16. For micro-business, allow direct sales at farmer's markets or events or other non-store front retail to count as a retail use, and allow distributor-transport only to count as distributor use… this will allow more cultivators to apply for a micro-business if they live in rural areas where zoning will not allow for retail locations or full distribution.

17. Support direct local sales through expanded venue allowances for cannabis events

18. Allow the cultivation license to be transferable in the event of a land sale. Allow an optional "inactive" status for cultivation licenses that would keep the license valid even if not in use. The investment required to comply and obtain a cultivation license is a direct investment to property making it part of the asset. The ability for a small farmer to succeed in this new market place is unknown at best and if they should choose to not participate their investment needs to be protected.

19. Allow the storage of cannabis to include cargo containers with a length of 40 feet.

#34

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 9:02:31 PM
Last Modified:	Tuesday, February 06, 2018 9:03:06 PM
Time Spent:	00:00:35
IP Address:	162.201.66.29

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Testing Sub-Committee
1. Monitor the testing prices being set by each lab. These costs are WAY too high for any small specialty cottage cultivator to be able to afford. Especially if cultivating 25plants, at $600-$1000 per batch test, cultivators will struggle greatly to afford these prices for testing.

The regulatory expansion related to testing is going to either push prices higher which will make it not accessible for lower income patients and consumers or force small farmers to cultivate the same strain in a batch to try and save the margin.

For small batch cultivators, if you produce 3 units in a batch these testing costs of $600-1000 per batch (or $200-333 per unit) plus the flat cultivation tax rate of $148 per unit is now nearly reducing the margin for the cultivator to a net negative.

2. Set eco-friendly standards for packaging to lessen the industry’s impact on consumer waste in California.

#35

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 9:30:31 PM
Last Modified:	Tuesday, February 06, 2018 9:35:03 PM
Time Spent:	00:04:32
IP Address:	166.233.129.213

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Set eco-friendly standards for rpackaging to lessen the industry’s impact on consumer waste in California.

#36

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 9:38:55 PM
Last Modified:	Tuesday, February 06, 2018 9:39:56 PM
Time Spent:	00:01:00
IP Address:	184.63.249.150

Page 1

Q1 First Name (Optional)

Charles

Q2 Last Name (Optional)

Sargenti

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

1. Monitor the testing prices being set by each lab. These costs are WAY too high for any small specialty cottage cultivator to be able to afford. Especially if cultivating 25plants, at $600-$1000 per batch test, cultivators will struggle greatly to afford these prices for testing.

The regulatory expansion related to testing is going to either push prices higher which will make it not accessible for lower income patients and consumers or force small farmers to cultivate the same strain in a batch to try and save the margin.

For small batch cultivators, if you produce 3 units in a batch these testing costs of $600-1000 per batch (or $200-333 per unit) plus the flat cultivation tax rate of $148 per unit is now nearly reducing the margin for the cultivator to a net negative.

10. Set eco-friendly standards for packaging to lessen the industry’s impact on consumer waste in California.

#37

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 11:08:24 PM
Last Modified:	Tuesday, February 06, 2018 11:08:47 PM
Time Spent:	00:00:22
IP Address:	173.228.119.237

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Price gouging should be penalized.

#38

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, February 06, 2018 11:48:28 PM
Last Modified:	Tuesday, February 06, 2018 11:49:19 PM
Time Spent:	00:00:51
IP Address:	71.146.0.203

Page 1

Q1 First Name (Optional)

Genine

Q2 Last Name (Optional)

Coleman

Q3 Organization (Optional)

Mendocino Appellations Project

Q4 Title (Optional)

Executive Director

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

Regulatory frameworks securing affordable access to laboratory testing for personal and medical non-commercially produced cannabis products are urgently needed.

#39

Collector:	Web Link 1 (Web Link)
Started:	Wednesday, February 07, 2018 7:30:47 AM
Last Modified:	Wednesday, February 07, 2018 7:32:17 AM
Time Spent:	00:01:30
IP Address:	97.84.99.102

Page 1

Q1 First Name (Optional)

Joe

Q2 Last Name (Optional)

Cox

Q3 Organization (Optional)

Moss Landing family farms

Q4 Title (Optional)

CEO

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

We are a small grow. 100 lights. The way that testing is set up at 1-50 lbs for 600+ dollars is obviously meant to cater to deep pockets newcomers while simultaneously overburdening the little guy. We need to be able to grow a wide variety in order to service our local businesses, but with these testing rates we will be forced to monocrop in order to save money on testing but that means we will have to travel further in order to sell product. Dispensaries don’t buy more than one or two of he same stains at a time. This is unfair and must be changed.

#40

Collector:	Web Link 1 (Web Link)
Started:	Wednesday, February 07, 2018 10:18:15 AM
Last Modified:	Wednesday, February 07, 2018 10:19:15 AM
Time Spent:	00:01:00
IP Address:	67.180.253.235

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

CW Analytical Laboratories

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

CW Analytical Laboratories
Bureau of Cannabis Control Advisory Committee - Testing Subcommittee Feedback

Running all samples in duplicate dramatically increases cost, time, and cuts laboratory throughput in half, causing greater delays in product getting to market. Instead, A randomly selected field duplicate could be run as an LQC within each 20 sample analytical batch (5705)(c)
The bureau should allow for bulk oil sampling - otherwise remediation is difficult, if not impossible after packaging.Furthermore, years of laboratory data show that Cannabis oils contain an extremely low risk of microbiological contamination due to packaging/ processing. (5708)
Increase edible homogeneity requirements to 15-20% as this is a more reasonable range. (57160)(c)
There needs to be established specific protocols for homogeneity testing. As they are ambiguous.(57160(c)
Do not require residual solvent testing on edibles/topicals until a study necessitates the need. (5718)
How should RSA reporting be handled for ethanol-based tinctures? The current action level for ethanol is 5000 µg/g. Should this compound be marked “pass” regardless of level in these samples? Please advise on how to report this data. (5718)(2)
Many pesticides exist as multiple isomers - (ex: Cypermethrin has 4 isomers) - are we quantifying one or all of these isomers? Which isomer should be reported as “Cypermethrin” on the report? (5719)
APC and Yeast/Mold should be included on edible and infused products is as an easy, inexpensive way to determine food safety. These methods are utilized and recognized worldwide in food safety testing. (5720)
Screening for Salmonella sp. is unnecessary as it has never been scientifically proven to exist on Cannabis. To date, our laboratory has examined over 16,000 samples over the course of 3 years, utilizing methods from the FDA Bacteriological Analytical Manual, and has yet to observe any confirmed positive contamination of Salmonella sp. on Cannabis. (5720)(2)
Aspergillus spp. identification and differentiation pushes the limits of current taxonomic understanding. We highly recommend identification to genus only. There is documented variation in this organism causing overlap that makes distinction between species (A. flavus, niger, terreus, fumigatus) both an extremely lengthy process (up to 10 days) and scientifically nearly impossible. (5720(3)
There should be no heavy metals requirement until scientific studies study necessitates the need. (5723)
Terpene content shouldn’t be considered a mandatory quality measure (5725)
A 45 day, post-testing retention time will result in a security risk for laboratories, and create burdensome facility requirements to store Cannabis for long periods of time. 14 days would suffice. (5728)
20% RPD is impractically high precision for duplicate samples (laboratory duplicates or field duplicates) for solvent testing as the analytes are volatile and at trace levels. (5730)(e)
LQC samples on pesticides and residual solvents (such as CCVs and matrix spikes) should allow for 80-120% recovery on 80% of analytes so long as they are not the same analytes failing every time-. This is fairly standard EPA acceptance criteria for multi-residue methods

#41

Collector:	Web Link 1 (Web Link)
Started:	Wednesday, February 07, 2018 11:06:56 AM
Last Modified:	Wednesday, February 07, 2018 11:11:11 AM
Time Spent:	00:04:14
IP Address:	23.119.139.180

Page 1

Q1 First Name (Optional)

Respondent skipped this question

Q2 Last Name (Optional)

Respondent skipped this question

Q3 Organization (Optional)

Respondent skipped this question

Q4 Title (Optional)

Respondent skipped this question

Q5 Please choose the one subcommittee to which you would like your feedback to be sent. Note: You may submit feedback to as many subcommittees as you wish. Simply click on the link again to submit additional comments.

Testing Laboratories Subcommittee

Q6 Feedback for Subcommittee

wonderful work - keep the standards high and license more to help bring down costs - I never sold untested cannabis and neither should anyone - full compliance and enforcement if needed